



General Assembly

Substitute Bill No. 847

January Session, 2011

* _____SB00847HEDJUD022311_____*

**AN ACT CONCERNING SEXUAL VIOLENCE ON COLLEGE
CAMPUSES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2011*) (a) For purposes of this
2 section:

3 (1) "Awareness programming" means programming designed to
4 communicate the prevalence of sexual assaults and intimate partner
5 violence, including the nature and number of cases of sexual assault
6 and intimate partner violence reported at each institution of higher
7 education in the preceding three calendar years;

8 (2) "Institution of higher education" means an institution of higher
9 education as defined in section 10a-55 of the general statutes;

10 (3) "Intimate partner violence" means any physical, sexual or
11 psychological harm against an individual by a current or former
12 spouse of or person in a dating relationship with such individual that
13 results from any action by such spouse or such person that may be
14 classified as a sexual assault under section 53a-70, 53a-70a, 53a-70b,
15 53a-71, 53a-72a, 53a-72b or 53a-73a of the general statutes, stalking
16 under section 53a-181c, 53a-181d or 53a-181e of the general statutes, or
17 domestic violence as designated under section 46b-38h of the general
18 statutes;

19 (4) "Primary prevention programming" means programming and
20 strategies intended to prevent sexual assault and intimate partner
21 violence before it occurs by means of changing social norms and other
22 approaches;

23 (5) "Sexual assault" means a sexual assault under section 53a-70,
24 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a of the general statutes; and

25 (6) "Uniform campus crime report" means a campus crime report
26 prepared by an institution of higher education pursuant to section 10a-
27 55a of the general statutes.

28 (b) Each institution of higher education shall adopt and disclose in
29 such institution's annual uniform campus crime report a policy
30 regarding sexual assault and intimate partner violence. Such policy
31 shall include provisions for (1) providing students and employees of
32 the institution who report being the victim of sexual assault or intimate
33 partner violence both contact information for and, if requested,
34 professional assistance in accessing and utilizing campus, local
35 advocacy, counseling, health, mental health and legal assistance
36 services, and written information concerning the rights of such
37 students and employees to (A) notify law enforcement of such assault
38 or violence and to receive assistance from campus authorities, and (B)
39 obtain a protective order, apply for a temporary restraining order or
40 seek enforcement of an existing protective or restraining order,
41 including, but not limited to, orders issued pursuant to sections 46b-15,
42 46b-38c, 53a-40e, 54-1k, 54-82q and 54-82r of the general statutes,
43 against the perpetrator of such assault or violence; (2) notifying such
44 students and employees of the reasonably available options for and
45 available assistance from such institution in changing academic, living,
46 transportation or working situations in response to such assault or
47 violence; (3) honoring any lawful protective or temporary restraining
48 orders, including, but not limited to, orders issued pursuant to sections
49 46b-15, 46b-38c, 53a-40e, 54-1k, 54-82q and 54-82r of the general
50 statutes; (4) disclosing the range of sanctions that may be imposed
51 following the implementation of such institution's disciplinary

52 procedures in response to such assault or violence; (5) detailing the
53 procedures that such students and employees should follow after the
54 commission of such violence, including persons or agencies to contact
55 and information regarding the importance of preserving physical
56 evidence of such assault or violence; and (6) disclosing a summary of
57 such institution's disciplinary procedures, including clear statements
58 advising such students and employees that (A) accusers of such assault
59 or violence shall have the opportunity to request that disciplinary
60 proceedings begin promptly, (B) disciplinary proceedings shall be
61 conducted by an official trained in issues relating to sexual assault or
62 intimate partner violence and shall use the preponderance of the
63 evidence standard in making a determination concerning the alleged
64 assault or violence, (C) both the accuser of such assault or violence and
65 the accused perpetrator are entitled to be accompanied to any meeting
66 or proceeding relating to the allegation of such assault or violence by
67 an advisor of their choice and that such accuser and accused shall have
68 the opportunity to present evidence and witnesses on their behalf
69 during any disciplinary proceeding, (D) both such accuser and accused
70 are entitled to be informed in writing of the results of any disciplinary
71 proceeding not later than one business day after the conclusion of such
72 proceeding, and (E) the identity of both such accuser and accused shall
73 be kept confidential by the institution of higher education, provided
74 such confidentiality does not violate state law.

75 (c) Each institution of higher education shall offer (1) sexual assault
76 and intimate partner violence primary prevention and awareness
77 programming for all students and employees that includes an
78 explanation of the definition of consent in sexual relationships and
79 information concerning the reporting of incidences of such assaults
80 and violence, bystander intervention and risk reduction; and (2)
81 ongoing sexual assault and intimate partner violence prevention and
82 awareness campaigns.

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| <p>This act shall take effect as follows and shall amend the following sections:</p> |
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| Section 1 | <i>July 1, 2011</i> | New section |
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HED

Joint Favorable Subst. C/R

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